BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE M.R.HARIHARAN NAIR
(RETD.JUDGE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
(JUDGE, HIGH COURT OF KERALA)

THURSDAY, THE 27TH SEPTEMBER 2007 / 5TH ASWINA 1929

MACA.No. 449 of 2007(C)

OPMV.4/2005 of MOTOR ACCIDENT CLAIMS TRIBUNAL, MANJERI
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APPELLANTS/APPLICANTS:
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1. P.K.HAMZA HAJI, S/O.AHAMMED, AGED 66 YEARS
RESIDING AT POOZHIKUNNATH HOUSE, ANANTHAVOOR AMSOM,
VALIYAPARAPPUR DESOM P.O, ANANTHAVOOR, TIRUR TALUK.

2. FATHIMA, W/O.P.K.HAMZA HAJI, AGED 59 YEARS
RESIDING AT POOZHIKUNNATH HOUSE, ANANTHAVOOR AMSOM,
VALIYAPARAPPUR DESOM P.O, ANANTHAVOOR,TIRUR TALUK.

BY ADV. SRI.K.K.JOHN
SRI.T.R.NILESH
SRI.BROSE JOSEPH NEELIYARA

RESPONDENTS/RESPONDENTS:
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* 1. SATHIAJITH T, S/O.KRISHNAN T, THADATHIL
HOUSE, KUTTUPPURAM P.O, KUTTIPURAM, TIRUR TALUK,
MALAPPURAM DISTRICT, DRIVER.(DELETED)

2. P.KUNHIMOHAMMED, S/O.HAMZA, PARAMMAL HOUSE
KUTTIPPURAM, P.O.KUTTIPPURAM, TIRUR TALUK, MALAPPURAM
DISTRICT, OWNER.

3. NEW INDIA ASSURANCE COMPANY LTD,
BRANCH OFFICE, K.H BUILDING, THAZHEPALAM,
TIRUR P.O, TIRUR-1, INSURER.

(NAME OF THE FIRST RESPONDENT IS DELETED FROM THE PARTY ARRAY AT THE RISK OF THE APPELLANT AS PER ORDER DT. 4/7/07 IN IA 1211/07.)

BY ADV. SRI.S.MAMMU

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

JUSTICE M.R.HARIHARAN NAIR (RETD. JUDGE, HIGH COURT OF KERALA)
&
JUSTICE KURIAN JOSEPH (JUDGE, HIGH COURT OF KERALA)

M.A.C.A. No. 449 of 2007

Dated this the 27th day of September, 2007

AWARD

Counsel for the appellant, counsel for the Insurance Company and Officers of the Insurance Company are present. After elaborate discussion, it is agreed by both parties that the Insurance Company will pay a sum of Rs.60,000/- (Rupees Sixty thousand only) over and above the amount already deposited, within two months in full settlement of the claim. If the amount is not deposited within the time the amount will carry interest at 9% per annum. The appeal is disposed of as settled between the parties.

M.R.HARIHARAN NAIR
(RETD. JUDGE, HIGH COURT OF KERALA)

KURIAN JOSEPH
(JUDGE, HIGH COURT OF KERALA)

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